

## PATENT COOPERATION TREATY

PCT

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner  
 US Department of Commerce  
 United States Patent and Trademark  
 Office, PCT  
 2011 South Clark Place Room  
 CP2/5C24  
 Arlington, VA 22202  
 ETATS-UNIS D'AMERIQUE  
 in its capacity as elected Office

<b>Date of mailing</b> (day/month/year) 04 April 2001 (04.04.01)	
<b>International application No.</b> PCT/EP00/06934	<b>Applicant's or agent's file reference</b> HF/2-22053/PCT/A
<b>International filing date</b> (day/month/year) 20 July 2000 (20.07.00)	<b>Priority date</b> (day/month/year) 28 July 1999 (28.07.99)
<b>Applicant</b> HAZENKAMP, Menno et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:  
 08 February 2001 (08.02.01)

☐ in a notice effecting later election filed with the International Bureau on:  
 \_\_\_\_\_

2. The election ☒ was

☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer G. Bähr Telephone No.: (41-22) 338.83.38
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## PATENT COOPERATION TREATY

PCT

From the INTERNATIONAL BUREAU

NOTIFICATION OF THE RECORDING  
OF A CHANGE(PCT Rule 92bis.1 and  
Administrative Instructions, Section 422)

To:

CIBA SPECIALTY CHEMICALS HOLDING  
INC.  
Patentabteilung  
Klybeckstrasse 141  
CH-4057 Basel  
SUISSE

Date of mailing (day/month/year) 17 December 2001 (17.12.01)	<b>IMPORTANT NOTIFICATION</b>
Applicant's or agent's file reference HF/2-22053/PCT/A	
International application No. PCT/EP00/06934	International filing date (day/month/year) 20 July 2000 (20.07.00)

## 1. The following indications appeared on record concerning:

☒ the applicant      ☒ the inventor      ☐ the agent      ☐ the common representative

Name and Address HAZENKAMP, Menno Fatiostrasse 14 CH-4056 Basel Switzerland	State of Nationality NL	State of Residence CH
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	

## 2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☐ the person      ☐ the name      ☒ the address      ☐ the nationality      ☐ the residence

Name and Address HAZENKAMP, Menno Obere Weid 10 CH-4125 Riehen Switzerland	State of Nationality NL	State of Residence CH
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	

## 3. Further observations, if necessary:

## 4. A copy of this notification has been sent to:

<input checked="" type="checkbox"/> the receiving Office	<input type="checkbox"/> the designated Offices concerned
<input type="checkbox"/> the International Searching Authority	<input checked="" type="checkbox"/> the elected Offices concerned
<input type="checkbox"/> the International Preliminary Examining Authority	<input type="checkbox"/> other:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No.: (41-22) 740.14.35	Authorized officer  Catherine MASSETTI  Telephone No.: (41-22) 338.83.38
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# PATENT COOPERATION TREATY

WO 01/09276  
PCT/EP00/06934

1C/1F

PCT

## NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION TO THE DESIGNATED OFFICES

(PCT Rule 47.1(c), first sentence)

From the INTERNATIONAL BUREAU

To:

CIBA SPECIALTY CHEMICALS HOLDING  
INC.  
Patentabteilung  
Klybeckstrasse 141  
CH-4057 Basel  
SUISSE

✓ *del Buy 23*

Date of mailing (day/month/year) 08 February 2001 (08.02.01)		IMPORTANT NOTICE	
Applicant's or agent's file reference HF/2-22053/PCT/A			
International application No. PCT/EP00/06934 ✓	International filing date (day/month/year) 20 July 2000 (20.07.00)	Priority date (day/month/year) 28 July 1999 (28.07.99)	
Applicant CIBA SPECIALTY CHEMICALS HOLDING INC. et al ✓			

1. Notice is hereby given that the International Bureau has communicated, as provided in Article 20, the international application to the following designated Offices on the date indicated above as the date of mailing of this Notice:  
**AU, KP, KR, US**

In accordance with Rule 47.1(c), third sentence, those Offices will accept the present Notice as conclusive evidence that the communication of the international application has duly taken place on the date of mailing indicated above and no copy of the international application is required to be furnished by the applicant to the designated Office(s).

2. The following designated Offices have waived the requirement for such a communication at this time:  
**AE, AG, AL, AM, AP, AT, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CR, CU, CZ, DE, DK, DM, DZ, EA, EE, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NO, NZ, OA, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UG, UZ, VN, YU,**  
The communication will be made to those Offices only upon their request. Furthermore, those Offices do not require the applicant to furnish a copy of the international application (Rule 49.1(a-bis)).
3. Enclosed with this Notice is a copy of the international application as published by the International Bureau on  
08 February 2001 (08.02.01) under No. WO 01/09276

### REMINDER REGARDING CHAPTER II (Article 31(2)(a) and Rule 54.2)

If the applicant wishes to postpone entry into the national phase until 30 months (or later in some Offices) from the priority date, a demand for international preliminary examination must be filed with the competent International Preliminary Examining Authority before the expiration of 19 months from the priority date.

It is the applicant's sole responsibility to monitor the 19-month time limit.

Note that only an applicant who is a national or resident of a PCT Contracting State which is bound by Chapter II has the right to file a demand for international preliminary examination.

### REMINDER REGARDING ENTRY INTO THE NATIONAL PHASE (Article 22 or 39(1))

If the applicant wishes to proceed with the international application in the national phase, he must, within 20 months or 30 months, or later in some Offices, perform the acts referred to therein before each designated or elected Office.

For further important information on the time limits and acts to be performed for entering the national phase, see the Annex to Form PCT/IB/301 (Notification of Receipt of Record Copy) and Volume II of the PCT Applicant's Guide.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. (41-22) 740.14.35	Authorized officer  J. Zahra  Telephone No. (41-22) 338.83.38
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Continuation of Form PCT/IB/308

**NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF  
THE INTERNATIONAL APPLICATION TO THE DESIGNATED OFFICES**

<b>Date of mailing (day/month/year)</b> 08 February 2001 (08.02.01)	<b>IMPORTANT NOTICE</b>
<b>Applicant's or agent's file reference</b> HF/2-22053/PCT/A	<b>International application No.</b> PCT/EP00/06934
<p>The applicant is hereby notified that, at the time of establishment of this Notice, the time limit under Rule 46.1 for making amendments under Article 19 has not yet expired and the International Bureau had received neither such amendments nor a declaration that the applicant does not wish to make amendments.</p>	

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference <b>HF/2-22053/PCT/A</b>	<b>FOR FURTHER ACTION</b> see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. <b>PCT/EP 00/06934</b>	International filing date (day/month/year) <b>20/07/2000</b>	(Earliest) Priority Date (day/month/year) <b>28/07/1999</b>
Applicant <b>CIBA SPECIALITY CHEMICALS HOLDING INC.</b>		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 4 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

## 1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing:

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ Certain claims were found unsearchable (See Box I).

3. ☐ Unity of invention is lacking (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☐ the text is approved as submitted by the applicant.

☒ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☐ None of the figures.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/EP 00/06934

Box III TEXT OF THE ABSTRACT (Continuation of item 5 of the first sheet)

Line 3: After the word "dissolution" delete: "of"

## INTERNATIONAL SEARCH REPORT

International Application No

PCT/00/06934

A. CLASSIFICATION OF SUBJECT MATTER  
 IPC 7 C11D3/39 C11D17/06

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C11D

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 902 083 A (CIBA SPECIALTY CHEMICALS HOLDING) 17 March 1999 (1999-03-17) cited in the application	1-8, 10
Y	page 6, line 18 -page 8, line 49 ---	1, 10-15
Y	WO 96 37593 A (HENKEL KGAA) 28 November 1996 (1996-11-28) claims 1-6,8 page 4, paragraph 2 -page 10, paragraph 1 ---	1, 10, 11, 15
Y	GB 2 309 976 A (PROCTER & GAMBLE) 13 August 1997 (1997-08-13) page 2, paragraph 2 -page 5, paragraph 1 claims --- -/--	1, 12-15



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

\* Special categories of cited documents:

\*A\* document defining the general state of the art which is not considered to be of particular relevance

\*E\* earlier document but published on or after the international filing date

\*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

\*O\* document referring to an oral disclosure, use, exhibition or other means

\*P\* document published prior to the international filing date but later than the priority date claimed

\*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

\*X\* document of particular relevance: the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

\*Y\* document of particular relevance: the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

\*G\* document member of the same patent family

Date of the actual completion of the international search

11 December 2000

Date of mailing of the international search report

18/12/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2  
 NL - 2280 HV Rijswijk  
 Tel. (+31-70) 340-2040, Tx. 31 651 epo nl.  
 Fax: (+31-70) 340-3016

Authorized officer

Serbetsoglou, A

## INTERNATIONAL SEARCH REPORT

International Application No

PCT 00/06934

## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	WO 97 16521 A (PROCTER & GAMBLE) 9 May 1997 (1997-05-09) claims 1,14 page 4 -page 8 page 12, line 2 - line 4 -----	1,12,15
Y	US 5 876 755 A (PERRING ET AL) 2 March 1999 (1999-03-02) claims 1-6 -----	1,12,13
X	EP 0 717 103 A (CIBA-GEIGY) 19 June 1996 (1996-06-19) claims 1,10,15-17,27 -----	1-8,10
X	EP 0 630 964 A (CIBA-GEIGY) 28 December 1994 (1994-12-28) claims 1,8,11-13,23 -----	1-8,10



## INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT 00/06934

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
EP 902083	A	17-03-1999	AU 8318498 A BR 9803397 A CA 2246551 A CN 1210919 A JP 11171893 A	25-03-1999 07-12-1999 09-03-1999 17-03-1999 29-06-1999
WO 9637593	A	28-11-1996	DE 19518695 A EP 0827529 A JP 11505290 T	28-11-1996 11-03-1998 18-05-1999
GB 2309976	A	13-08-1997	BR 9707402 A CA 2245560 A CN 1214726 A EP 0891410 A JP 11504067 T WO 9729174 A US 6093343 A	06-04-1999 14-08-1997 21-04-1999 20-01-1999 06-04-1999 14-08-1997 25-07-2000
WO 9716521	A	09-05-1997	US 5703034 A BR 9611277 A CA 2236466 A EP 1021514 A JP 3027197 B JP 10512917 T	30-12-1997 26-01-1999 09-05-1997 26-07-2000 27-03-2000 08-12-1998
US 5876755	A	02-03-1999	AT 159284 T AU 6203594 A DE 69406272 D DE 69406272 T WO 9419449 A EP 0684984 A ES 2110223 T JP 8506991 T	15-11-1997 14-09-1994 20-11-1997 19-03-1998 01-09-1994 06-12-1995 01-02-1998 30-07-1996
EP 717103	A	19-06-1996	AU 699655 B AU 4046295 A BR 9505910 A CA 2165128 A GB 2296015 A JP 8231987 A US 5733341 A	10-12-1998 20-06-1996 23-12-1997 16-06-1996 19-06-1996 10-09-1996 31-03-1998
EP 630964	A	28-12-1994	AT 169330 T AU 671739 B AU 6481794 A BR 9402452 A CA 2126167 A DE 69412188 D DE 69412188 T ES 2121174 T GB 2279074 A, B JP 7026291 A US 5462564 A US 5741920 A	15-08-1998 05-09-1996 22-12-1994 24-01-1995 20-12-1994 10-09-1998 11-03-1999 16-11-1998 21-12-1994 27-01-1995 31-10-1995 21-04-1998

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference HF/2-22053/PCT/A	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP00/06934	International filing date (day/month/year) 20/07/2000	Priority date (day/month/year) 28/07/1999
International Patent Classification (IPC) or national classification and IPC C11D3/39		
Applicant CIBA SPECIALITY CHEMICALS HOLDING INC. et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 5 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 08/02/2001	Date of completion of this report 12.10.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Klier, E Telephone No. +49 89 2399 8531 

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. PCT/EP00/06934

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):  
**Description, pages:**

1-26 as originally filed

**Claims, No.:**

1-15 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).  
☐ the language of publication of the international application (under Rule 48.3(b)).  
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority in written form.  
☐ furnished subsequently to this Authority in computer readable form.  
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.  
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:  
☐ the claims, Nos.:  
☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/EP00/06934

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

6. Additional observations, if necessary:

## **V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

### **1. Statement**

Novelty (N)	Yes:	Claims	9 - 15
	No:	Claims	1-8
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-15
Industrial applicability (IA)	Yes:	Claims	1-15
	No:	Claims	

2. Citations and explanations  
**see separate sheet**

## **VIII. Certain observations on the international application**

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:  
**see separate sheet**

**Re Item V**

**Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

Reference is made to the following documents:

D1: EP-A-0 902 083  
D2: EP-A-0 717 103  
D3: EP-A-0 630 964  
D4: WO-A-97 16521  
D5: WO-A- 96 37593  
D6: GB-A-2 309 976

1. The subject-matter of claims 1 - 8 is known (Art. 33(2) PCT).
  - 1.1. D1 claims the same type of manganese complexes as the application. The intermediates of the preparation process of claim 28 disclose the subject-matter of independent claim 1. 0.005 to 2 wt.-% of the manganese complex is added to a slurry containing 5 - 90 wt.-% of an anionic and/or nonionic surfactant and 5 - 70 wt.-% of a builder, which slurry is then spray dried. (claims 28, 22, 15 - 21; page , lines 18 - 36). Since the meaning of dissolution restrainer has no well-recognised meaning, the surfactants and builder fall under this definition. The spray-dried products are granules and contain not more than 5, preferably 0 - 1 wt.-% of water.  
Hence, the subject-matter of claims 1 - 8 is known.
  - 1.2. The same argumentation applies to D2 (claims 1, 27, 15- 22; page 6, lines 10 - 12, 16 - 18) and D3 (claims 23, 1, 11 - 17).
  - 1.3. The subject-matter of claim 15 is not disclosed in any of the documents D1 to D3. D1 to D3 disclose detergent granules comprising up to 2 wt.-% of the manganese complex. However, this granule is not part of a further detergent composition as required by claim 15.

2. It is quite common in the detergent industry to prepare granular compounds comprising different ingredients (see D4 - D6).  
A skilled person would have combined the manganese complex with further compounds such as builder or surfactants.  
The application does not provide any evidence that the problems of stability or dye transfer inhibition have been solved over the whole range. Only polymers are used in the examples to provide evidence for the unexpected dye-transfer inhibiting properties. The application is however not limited to polymers as dissolution restrainer. A generalisation of polymers to any kind of dissolution restrainer cannot be accepted.  
At present the polymers of claims 12 and 13 encompass known dye transfer inhibitors such as PVP, polyvinylimidazoles, PVA....  
No unexpected effect has been substantiated for these obvious combinations.  
In addition, compounds such as peroxide, which could be regarded as a dissolution restrainer and which certainly would react with the manganese complex would certainly not solve the problems posed in the application. Hence the subject-matter of claims 1 - 15 does not comply with the requirements of Art. 33(3) PCT.
3. None of the cited documents gives an indication that the dye-transfer inhibiting properties of salen-type manganese complexes can be improved by applying the manganese complex as a granule comprising specific polymers as specified in claims 12 and 13.

**Re Item VIII**

**Certain observations on the international application**

1. The terms "salen-type manganese complex" and dissolution restrainer" used in claim 1 have no well-recognised meaning and leave the reader in doubt as to the meaning of the technical features to which they refer, thereby rendering the definition of the subject-matter of said claim unclear (Article 6 PCT).